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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,395	02/11/2004	James Warren Rudolph	4865-185	3918

7590 10/18/2005
BARLEY SYNDER
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EXAMINER

GIBSON, RANDY W

ART UNIT	PAPER NUMBER
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2841

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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10-7761395

APPLICATION NO./ CONTROL NO. 10/776,395	FILING DATE 11 February 2004	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION RUDOLPH, JAMES WARREN	ATTORNEY DOCKET NO. 40534-930
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EXAMINER

Randy W. Gibson

ART UNIT**PAPER**

2841

1032005

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents**NOTIFICATION OF NON-COMPLIANCE WITH THE REQUIREMENTS OF 37 CFR 41.37(c)**

According to the "Order Returning Undocketed Appeal to Examiner" mailed on 19 September 2005, the following sections are missing from the Appeal Brief filed 14 March 2005:

- 1) "Summary of claimed subject matter" as set forth in 37 CFR 41.37 (c)(1)(v) ;
- 2) "Grounds of rejection to be reviewed on appeal", as set forth in 37 CFR 41.37(c)(1)(vi);
- 3) "Evidence appendix", as set forth in 37 CFR 41.37(c)(1)(ix); and
- 4) "Related proceedings appendix", as set forth in 37 CFR 41.37(c)(1)(x).

Appellant is required to file a substitute brief that is in compliance with the provisions of 37 CFR 41.37(c). To avoid dismissal of the appeal, Appellant must comply with the provisions of 37 CFR 41.37(c) within the longest of any of the following TIME PERIODS: (1) ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing of this communication; (2) within the time period for reply to the action from which appeal has been taken; or (3) within two months from the date of the notice of appeal under 37 CFR 1.191. Extensions of these time periods may be granted under 37 CFR 1.136.

Also attached is a signed copy of the PTO-1449 filed on 4 May 2004.

Attachment (1)

Randy W. Gibson
Randy W. Gibson
Primary Examiner
Art Unit: 2841